

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA )  
)  
Plaintiff, )

v. )

Case No. 4:15 CR 49 CDP

)  
RAMIZ ZIJAD HODZIC, SEDINA )  
UNKIC HODZIC, AND NIHAD )  
ROSIC, )

Defendants.

**JOINT NOTICE OF WITHDRAWAL BY DEFENDANTS RAMIZ HODZIC,  
SEDINA HODZIC, AND NIHAD ROSIC FROM PARTICIPATION IN FOREIGN  
DEPOSITIONS SCHEDULED PURSUANT TO THE COURT'S DECEMBER 21,  
2018 ORDER**

Defendants Ramiz Zijhad Hodzic, Sedina Unkc Hodzic, and Nihad Rosic, through their attorneys, Assistant Federal Public Defenders Kevin Curran and Diane Dragan, Kim C. Freter, and JoAnn Trog, notify the Court and other parties in this case that they will not participate in depositions scheduled pursuant to the Court's December 21, 2018 order. In support of this notice they state:

1. On February 5, 2019, the Court rejected the defendant's motions to dismiss on the ground of combatant immunity: "I conclude that the defendants in this case are not entitled to combatant immunity. Their assertion of this defense fails, and they may not assert it as a defense at trial. I will deny the motions to dismiss in their entirety, and will not allow at trial evidence or arguments that Pazara's actions are protected by lawful combatant immunity." *United States v. Hodzic*, No. 4:15 CR 49 CDP, slip op. at 10-11 (E.D. Mo. Feb. 5, 2019).

2. This Order obviates the materiality and relevance of testimony from the proposed subjects of the deposition, Jasmin Jasarevic, and Ibrahim Delic. Defendants' Joint Request for Foreign Depositions Under Fed. R. Crim. P. 15(a) (Doc. #448) asserted that testimony from Jasarevic and Delic was "highly relevant to Defendants' combatant immunity defense." *Id.* at 5. Given the Court's February 5, 2019 Order, such testimony would be immaterial and irrelevant.

3. Defendants Ramiz Hodzic, Sedina Hodzic, and Nihad Rosic reserve their right to challenge the admissibility of any testimony from the depositions of Jasarevic and Delic offered by any party during the trial in this case. As Rule 15(f) provides: "An order authorizing a deposition to be taken under this rule does not determine its admissibility." Fed. R. Crim. P. 15(f).

Dated February 13, 2019

Respectfully submitted,

/s/Kevin C. Curran

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 13, 2019, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon Assistant United States Attorney Matthew Drake.

/s/Kevin C. Curran